

Before Final - Official

Practitioner's Docket No.: 791_181

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Akira MATSUMOTO and Masashi FUKUYAMA

Ser. No.: 10/036,325

Art Unit: 1772

Filed: December 26, 2001

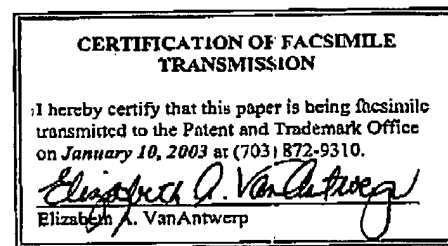
Examiner: Catherine A. Simone

Confirmation No.: 3228

For: **RIBBONED POLARIZATION-MAINTAINING FIBER AND MANUFACTURING METHOD THEREFOR, AND POLARIZATION-MAINTAINING OPTICAL FIBER ARRAY USING THE SAME**

#9

Assistant Commissioner for Patents
Washington, D.C. 20231



RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed December 17, 2002, applicants hereby provisionally elect, with traverse, to prosecute the claims of Group I (claims 1-6 and 20) this application.

However, applicants respectfully traverse the restriction requirement since the subject matter of claims 1 - 20 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the

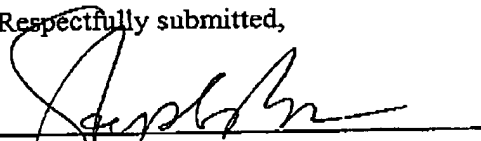
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merits." It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and improper duplicative examination by the Patent Office.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Stephen P. Burr
Reg. No. 32,970

January 10, 2003
Date

SPB/eav

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FAX Transmission Sheet

January 10, 2003

To: Examiner Catherine A. Simone Fax No. (703) 872-9310
 From: Stephen P. Burr Fax No. (315) 233-8320
 Re: In re the Application of: Akira MATSUMOTO and Masashi FUKUYAMA
 Serial No.: 10/036,325 Art Unit: 1772
 Date Filed: December 26, 2001 Conf. No. 3228
 Title: RIBBONED POLARIZATION-MAINTAINING FIBER AND MANUFACTURING
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Our Docket No.: 791_181

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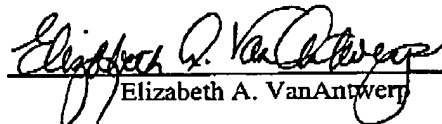
COMMENTS:

I hereby certify that the following paper(s) is/are being facsimile transmitted to Examiner Simone at the
 Patent and Trademark Office on **January 10, 2003** at (703) 872-9310:

	<u>Paper</u>	<u># of Pages</u>
1.	Response to Restriction Requirement	<u>2</u>

Total Pages (including cover page)

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 Elizabeth A. VanAntwerp

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